



TENNESSEE REGULATORY AUTHORITY

460 James Robertson Parkway

Nashville, Tennessee 37243

Telephone (615) 741-2904

Melvin Malone, Chairman
Sara Kyle, Director
Lynn Greer, Director

K. DAVID WADDELL
Executive Secretary

Memorandum

To: Docket File No. 00-00230

From: *K. David Waddell*
K. David Waddell

RE: Filing Date of Letter to Richard Collier from Henry Walker dated April 7, 2000

Date: April 11, 2000

The attached correspondence was filed with the office of the General Counsel on April 7, 2000 and was stamped in by the legal division on that date. The General Counsel's office was not aware an original and the requisite number of copies was not delivered to the Executive Secretary's office. The document was not forwarded to the Docket room for inclusion in the docket file and for distribution to the rest of the agency until April 11, 2000. The document was hand stamped to reflect the date it was received in the agency.

The document has been stamped in the docket room to reflect the date it was entered into the docket file, April 11, 2000.

cc: Chairman Malone
Director Greer
Director Kyle
Parties of Record

Henry Walker
(615) 252-2363
Fax: (615) 252-6363
Email: hwalker@bccb.com

**BOULT
CUMMINGS
CONNERS
& BERRY** PLLC.

LAW OFFICES
414 UNION STREET, SUITE 1600
POST OFFICE BOX 198062
NASHVILLE, TENNESSEE 37219
April 7, 2000
EXECUTIVE SECRETARY

RECEIVED

APR 07 2000

TN REGULATORY AUTHORITY
GENERAL COUNSEL'S OFFICE
TELEPHONE (615) 2582
FACSIMILE (615) 2380
INTERNET WEB <http://www.bccb.com/>

Richard Collier, Esq.
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

RECEIVED
EXEC. SECRETARY OFF.

APR 07 2000

TN REGULATORY AUTHORITY

**In Re: Complaint of Discount Communications against BellSouth
Telecommunications
Docket No. 00-00230**

Dear Richard:

Yesterday, BellSouth filed a letter from Patrick Turner noting that the parties have agreed to the disputed amounts at issue in this proceeding. Those amounts concern Lifeline, Link Up, and Directory Assistance charges. Patrick's letter correctly reflects the parties agreement on those three figures.

The Authority also asked that the parties attempt to stipulate the undisputed, past due charges owed by Discount to BellSouth. That process is far more complex than determining the disputed amounts and will require substantial work by employees of both parties. Although yesterday's letter includes BellSouth's estimate of the undisputed past due charges, Discount cannot agree to that figure, nor will Discount and BellSouth be able to reconcile their figures prior to the hearing on April 11, 2000.¹

¹ The undisputed past due amount cited in BellSouth's letter (\$78,967.71) is much larger than the figures discussed by the parties at the March 28, 2000 TRA conference. The reason for that is because, on April 5, BellSouth's \$61,000 bill for service during the month of March became past due.

As a result of BellSouth's decision in February to disconnect Discount's access to LENS, Discount was essentially shut down for a period of six weeks. During that time, however, BellSouth continued to provide telephone service to all of Discount's customers (including those who had not paid Discount for service). As a result, Discount cannot immediately pay the March bill.

Since access to LENS was restored on March 29, 2000, Discount has been able to resume normal business operations. As agreed between the parties, Discount made a payment of \$10,000 to BellSouth on April 3, 2000, and has paid \$1,500 into an escrow account on April 4 and each day
(continued...)

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4/11/00

Mr. David Waddell

April 7, 2000

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In any event, the only billing issues now before the agency concern the three, disputed matters described above. The TRA should be able to resolve those disputes without regard to other, unrelated billing questions which the parties ought to be able to work out between themselves.

Sincerely,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker

HW/nl

c: Patrick Turner

¹(...continued)

thereafter. (The escrow account is held by my law firm.) These daily payments represent more than the undisputed, daily charges Discount incurs from Bell South. Therefore, on a going forward basis, the undisputed charges should not increase. Furthermore, Discount expects to be able to pay the undisputed portion of the March bill within thirty days. That will reduce the undisputed amount back to the level that was discussed last week at the TRA.

BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201-3300

615 214-6311
Fax 615 214-7406

REC'D T-1 BELL SOUTH
RECEIVED

100 APR 7 PM 4:00
Patrick W. Turner
Attorney

April 7, 2000

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APR 07 2000

VIA TELECOPIER

TN REGULATORY AUTHORITY
GENERAL COUNSEL'S OFFICE

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37245

Re: *Discount Communications, Inc.*
Docket No. 00-00230

Dear Mr. Collier:

Yesterday afternoon BellSouth attempted to work with Discount Communications to determine a stipulated amount of the undisputed sums owed to BellSouth by Discount Communications. Today, Discount Communications informed BellSouth that it is interested in stipulating to such an amount, but that it is unable to discuss such a stipulation prior to the hearing on April 11, 2000.

Sincerely,



Patrick W. Turner

PWT/jem

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0500

- ☐ Hand
- ☒ Mail
- ☒ Facsimile
- ☐ Overnight

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